

FILED
2009 AUG 11 AM 8:07
CLERK DISTRICT COURT
BY WYANDOTTE COUNTY KANSAS
DEPUTY

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
Division 6

STATE OF KANSAS, *ex rel.*,
STEVE SIX, Attorney General,

Plaintiff,

v.

MYCNGKIT, INC.,

and

KIMBERLY JOHNSON, individually,

Defendants.

Case No. 09 CV 630

(Pursuant to K.S.A. Chapter 60)

**AMENDED ORDER OF DEFAULT JUDGMENT
AGAINST DEFENDANT MYCNGKIT, INC.**

NOW, on this 10 day of August, 2009, the Plaintiff's Motion to Amend the Order of Default against Defendant MyCNGKit, Inc. comes before the Court for consideration. The State of Kansas, *ex rel.* Steve Six, appears by and through Assistant Attorney General, Meghan E. Barnds. Defendant MyCNGKit, Inc. appears not.

WHEREUPON, after reviewing the Court's file and Plaintiff's Motion to Amend, the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment and Memorandum in Support on June 3, 2009.
2. Plaintiff's Motion for Default Judgment was predicated upon Defendant MyCNGKit Inc.'s ("Defendant MyCNGKit") failure to file an Answer to Plaintiff's Petition which was filed on April 13, 2009.

3. A copy of the Summons and the original Petition were served upon Defendant MyCNGKit Inc., at 1960 North 32nd Street in Kansas City, Kansas, by commercial courier service, Federal Express, on April 17, 2009 pursuant to K.S.A. 60-303(d).

4. Defendant MyCNGKit failed to file an Answer within twenty days after being served with process, as required by K.S.A. 60-212(a).

5. On June 18, 2009, the Court found Defendant MyCNGKit, Inc. in default, pursuant to K.S.A. 60-255.

6. On August 6, 2009, Plaintiff filed a Motion to Amend Order of Default against Defendant MyCNGKit, Inc. to correct typographical errors and promote consistency between Plaintiff's Petition and the Order of Default.

7. The legal arguments and authorities set forth in Plaintiff's Motion and Memorandum of Default Judgment, filed on June 3, 2009, are adopted by the Court as its conclusions of law as though fully set forth herein.

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED that Plaintiff's Motion to Amend Order of Default against Defendant MyCNGKit, Inc. is granted.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that judgment is hereby entered in favor of Plaintiff on all counts of the Petition.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that the alleged violations of the Kansas Consumer Protection Act are declared to be deceptive and unconscionable.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant MyCNGKit be permanently enjoined from the enumerated deceptive and unconscionable acts and practices, pursuant to K.S.A. 50-632(a)(2).

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant MyCNGKit be permanently enjoined from soliciting the sale of compressed natural gas conversion products and services in the State of Kansas.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant MyCNGKit pay restitution to the consumers referenced in Plaintiff's Motion for Default Judgment, in this case amounting to \$19,477.29 .

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant MyCNGKit pay \$1,000.00 in civil penalties for each violation of the Kansas Consumer Protection Act, pursuant to K.S.A. 50-636(a), in this case amounting to a sum believed to be not less than \$32,000.00.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant MyCNGKit pay \$3,000.00 in investigative fees and expenses to the Office of the Attorney General, pursuant to K.S.A. 50-636(c).

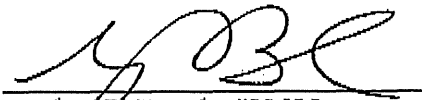
IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that Defendant MyCNGKit pay all court costs.

IT IS SO ORDERED.



District Court Judge

Submitted by:



Meghan E. Barnds, #23685
Assistant Attorney General
Office of the Kansas Attorney General

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Attorney for Plaintiff